

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION BY 37 CFR § 1.47(B) APPLICANT**

As a below named inventor, I hereby declares that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled NETWORKED DEVICE BRANDING FOR SECURE INTERACTION IN TRUST WEBS ON OPEN NETWORKS, the specification of which

- ☒ is attached hereto.
- ☐ was filed on _____ as Application No. _____
- ☐ was described and claimed in PCT International Application No. _____, filed on _____, and as amended under PCT Article 19 on _____ (if applicable).
- ☐ and was amended on _____ (if applicable).
- ☐ with amendments through _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)

Priority
Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

Yes

☐

No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Application Number

Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

(Application No.)

(Filing Date)

(Status: patented,
Pending, abandoned)

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from _____ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint the practitioners associated with the customer number provided below to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Customer Number



26119
KSCLW/MS

Name	Reg. No.	Name	Reg. No.
BLYVEIS, Deborah B.	47,337	PETERSEN, David P.	28,106
CALDWELL, Lisa M.	41,653	POLLEY, Richard J.	28,107
GIRARD, Michael P.	38,467	RINEHART, Kyle B.	47,027
HAENDLER, Jeffrey B.	43,652	RUPERT, Wayne W.	34,420
HARDING, Tanya M.	42,630	RYBAK, Sheree L.	47,913
JAKUBEK, Joseph T.	34,190	SCOTTI, Robert F.	39,830
JONCUS, Stephen J.	44,809	SIEGEL, Susan Alpert	43,121
JONES, Michael D.	41,879	SLATER, Stacey C.	36,011
KLARQUIST, Kenneth S.	16,445	STEPHENS Jr., Donald L.	34,022
KLITZKE II, Ramon A.	30,188	STUART, John W.	24,540
LEIGH, James S.	20,434	VANDENBERG, John D.	31,312
MAURER, Gregory L.	43,781	WHINSTON, Arthur L.	19,155
NOONAN, William D.	30,878	WIGHT, Stephen A.	37,759
ORR, David E.	44,988	WINN, Garth A.	33,220
SAKO, Katie E.	32,628	CROUSE, Daniel D.	32,022

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Address all telephone calls to Stephen A. Wight at telephone number (503) 226-7391.

Address all correspondence to:

Customer Number



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor: Yaron Goland

Residence: Redmond, Washington

Citizenship: United States of America

Post Office Address: 18624 NE 55th Way
Redmond, Washington 98052
USA

ON BEHALF OF AND AS AGENT FOR YARON GOLAND

SIGNED BY

FOR MICROSOFT CORPORATION

Signature:

Katie E. Sako
Assistant Secretary
Microsoft Corporation

Date:

6/12/01

09882491-061501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Goland

Art Unit: not yet assigned

Application No. not yet assigned

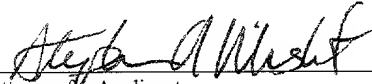
CERTIFICATE OF EXPRESS MAILING

Filed: concurrently herewith

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being sent via express mail label no. EL828140849US on 6/15/01 addressed to: BOX PATENT APPLICATION, COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

For: NETWORKED DEVICE BRANDING FOR
SECURE INTERACTION IN TRUST WEBS ON
OPEN NETWORKS

Examiner: not yet assigned


Attorney for Applicant

DECLARATION OF 37 CFR 1.47(B) APPLICANT

I, Katie E. Sako for Microsoft Corporation, submit this Declaration in support of the Petition Under 37 CFR 1.47(b) And 35 U.S.C. § 118 To File Application By Assignee, which it accompanies. In support of this petition, I make the following statements to establish that filing this application under 37 CFR 1.47(b) and 35 U.S.C. § 118 is necessary to preserve Microsoft Corporation's proprietary interest in the invention.

1. I am an Assistant Secretary of Microsoft Corporation, and as such am authorized to sign this patent application and make the statements herein for Microsoft Corporation.
2. RELATIONSHIP TO INVENTOR. Microsoft Corporation is a former employer of the inventor, Yaron Goland.
3. On information and belief, I aver those facts that the inventor is required to state. 37 CFR 1.64(b).
4. By virtue of Microsoft Corporation's Proprietary interest, I sign the accompanying Combined Declaration And Power Of Attorney on behalf of, and as agent for Yaron Goland, omitted inventor, who refuses to sign in lieu of an Oath or Declaration signed by Yaron Goland.
5. MICROSOFT CORPORATION'S PROPRIETARY INTEREST. As of the date of signing the Combined Declaration And Power Of Attorney, the proprietary interest in this invention belonged to Microsoft Corporation as established in the accompanying Declaration Of

Danielle Johnston Holmes and the Employee Non-Disclosure Agreement signed by the inventor Yaron Goland that is attached thereto.

6. ASSIGNEE'S CERTIFICATION. In accordance with 37 CFR 3.73, the assignee Microsoft Corporation hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.
7. NEED TO PRESERVE PROPRIETARY INTEREST. On information and belief, Microsoft Corporation currently plans to commercialize software incorporating technology that is covered by at least one claim of this application. Accordingly, the filing of this application under 37 CFR 1.47(b) and 35 U.S.C. § 118 is necessary to preserve Microsoft Corporation's proprietary interest in the invention.

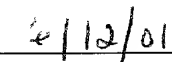
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FOR MICROSOFT CORPORATION

Signature:


Katie E. Sako
Assistant Secretary
Microsoft Corporation

Date:


6/12/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Goland

Art Unit: not yet assigned

Application No. not yet assigned

Filed: concurrently herewith

For: NETWORKED DEVICE BRANDING FOR
SECURE INTERACTION IN TRUST WEBS ON
OPEN NETWORKS

Examiner: not yet assigned

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being sent via express mail label no. EL828140849US on 6/15/01 addressed to: BOX PATENT APPLICATION, COMMISSIONER FOR PATENTS, WASHINGTON, D C 20231


Attorney for Applicant

DECLARATION OF DANIELLE JOHNSTON HOLMES

I, Danielle Johnston Holmes, submit this Declaration in support of the Petition Under 37 CFR 1.47(B) And 35 U.S.C. § 118 To File Application By Assignee, which it accompanies. In support of this petition, I make the following statements to establish that omitted inventor Yaron Goland: (A) has agreed in writing to assign the invention to Microsoft Corporation; (B) was an employee of Microsoft Corporation at the time the captioned invention was made; and (C) refused to execute the application papers.

1. I am a patent attorney employed by Microsoft. One of my duties is to identify inventions which may be protected by patent, and to work with the inventors and outside counsel to prepare and file patent applications thereon.

AGREEMENT TO ASSIGN TO MICROSOFT CORPORATION

2. I have attached hereto an agreement entitled, Microsoft Corporation Employee Non-Disclosure Agreement (Exhibit A), which was signed by Mr. Yaron Goland on July 22, 1996. This copy of the agreement was obtained by my assistant, Lih Hudson, under my instructions from the employment records of Microsoft Corporation. The agreement at ¶3 states Mr. Goland's obligation to assign inventions made during his employment at Microsoft Corporation to Microsoft Corporation.

INVENTION MADE DURING EMPLOYMENT AT MICROSOFT CORPORATION

3. I, along with my paralegal, Tammy Kreiger, and outside counsel, Stephen Wight of Klarquist Sparkman, LLP, personally met with Mr. Goland on October 27, 1998 to discuss the captioned invention. The purpose of the meeting was for Mr. Goland to explain the details of the invention to enable Mr. Wight to draft a patent application on the invention. Mr. Goland also sent an email on January 4, 2000 commenting on a summary of the meeting.
4. I have caused the records of Microsoft's Human Resources Department to be checked and have thereby confirmed my earlier understanding that Mr. Goland worked in Microsoft's Windows Networking Universal Plug-n-Play (UPnP) group during the period leading up to the disclosure of the invention. I further learned that Mr. Goland was employed continuously by Microsoft from July 15, 1996 to June 26, 2000. Based on these facts, I believe the captioned invention was made by Mr. Goland during his period of employment at Microsoft Corporation.

REFUSAL TO EXECUTE THE APPLICATION

5. Mr. Goland left his employment at Microsoft before the patent application covering the invention was drafted. On April 10, 2001, I sent an email to Mr. Goland's last known email address presenting the patent application for Mr. Goland's review and execution (attached hereto as Exhibit B). On April 25, 2001, Mr. Goland responded to my email but did not execute the application.
6. I sent a second email on May 17, 2001 to Mr. Goland's last known email address again presenting the application for execution by Mr. Goland and requesting that he inform me whether he will execute the application. (attached hereto as Exhibit C). To date, Mr. Goland has not responded to this request.
7. Based on these facts, I believe that Mr. Goland will not execute the application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: Danielle Johnston Holmes
Danielle Johnston Holmes
Corporate Attorney
Microsoft Corporation

Date: 6/12/01

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